

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/743,563
Confirmation No.: 5056
Filing Date: December 22, 2003
Examiner: Zinna Northington Davis
Group Art Unit: 1625
Applicants: Charrier et al.
For: CASPASE INHIBITORS AND USES THEREOF

April 17, 2009
Cambridge, Massachusetts

**TRANSMITTAL LETTER FOR SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicants are transmitting a Supplemental Information Disclosure Statement ("IDS"). This Supplemental IDS includes all the references previously cited in an IDS filed on March 27, 2009. This Supplemental IDS also contains two additional references, Citation Numbers 10 and 21 (Non-Patent Literature). This Supplemental IDS corrects obvious typographical errors that were contained in the previous IDS.

- (a) Pursuant to 37 C.F.R. §1.56, it is requested that the documents listed on the accompanying Form PTO/SB/08a be considered and made of record in the above-identified patent application.

- ☒ Copies of reference Citation Nos. 10 and 21 (Non-Patent Literature) are attached.
- ☒ Copies of reference Citation Nos. 1-2 (Foreign Patent Documents) and 1-9, 11-20 (Non-Patent Literature) were submitted previously with an IDS filed on March 27, 2009.
- ☐ A copy of the International Search Report received in the corresponding PCT Application No. _____ is attached herewith.

- (b) ☒ No fee is believed due because:

- ☐ The Information Disclosure Statement is being filed within three (3) months of the filing date of the application.
- ☐ The Information Disclosure Statement is being concurrently filed with the above-identified application.

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- ☐ The Information Disclosure Statement is being concurrently filed with a Request for Continued Examination (RCE).
 - ☒ The Information Disclosure Statement is being filed prior to the mailing of a first Office Action on the merits.
- (c) ☐ The Information Disclosure Statement is being filed before the mailing date of any final action, notice of allowance or an action that otherwise closes prosecution; and
- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
 - ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement; or
- ☐ The Director is hereby authorized to charge \$180.00 to Deposit Account No. 50-0725.
- (d) ☐ The Information Disclosure Statement is being filed on or before the payment of the issue fee; and
- ☐ Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or
 - ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement; and
- ☐ The Director is hereby authorized to charge \$180.00 to Deposit Account No. 50-0725.

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☒ The Director is hereby authorized to charge any additional fees that may be required for the Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0725.

Respectfully submitted,

/Jennifer G. Che/
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